

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - NW/8 Reisterstown Road, 2041' N of Tobins Lane (9740 Reisterstown Road) 3rd Election District 3rd Councilmanic District Fuchs Spices, U.S.A., Inc. Petitioner

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 93-22-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and Petition for Zoning Variance filed by the legal owner of the subject property, Fuchs Spices, U.S.A., Inc., by Baltimore Spice, Inc., by and through its attorney, Stuart D. Kaplow, Esquire. The Petitioner requests a special hearing to approve the nonconforming use of part of an existing building located within the MLR-zoned portion of the subject property, pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.), Sections 250.2 (sum of side yards) and 250.5 (floor area ratio and land coverage), in accordance with the relief granted in Case No. 70-36-ASPH by Order issued September 3, 1969 when the property was zoned MR and ML. In the alternative, the Petitioner requests relief from Section 250.2 of the B.C.Z.R. to permit a sum of the side yards of 56 feet in lieu of the required 80 feet; from Section 250.5 to permit a floor area ratio of 0.73 in lieu of the maximum permitted 0.60; and a variance to permit a land area coverage of 55% in lieu of the maximum permitted 50%. The Petitioner also requests a variance from Section 254 of the B.C.Z.R. to permit a building height of 80 feet in lieu of the maximum permitted 40 feet for a proposed building located within 100 feet of a business zone (ML-IM). The relief requested is more particularly described on the plan submitted and identified as Petitioner's Exhibit 1.

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Date 9/15/92
By [Signature]

appearing on behalf of the Petitions were Craig Bower, Director of Operations for Baltimore Spice, Inc., represented by Stuart D. Kaplow, Esquire. Also appearing on behalf of the Petitions were James E. Matis, Registered Professional Engineer with George W. Stephens, Jr. and Associates, Inc., and Neil Kitt with CS & D, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 9740 Reisterstown Road, consists of a gross area of 5.375 acres, more or less, split zoned ML-IM, MLR-IM, RM, BM-IM and BR-IM, and is improved with a manufacturing building with accessory offices for the Fuchs Spice Company. Said property was the subject of previous Case No. 70-36-ASPH in which a special hearing and variances for the existing building were granted on September 3, 1969. The proffered testimony presented by Stuart Kaplow, Esquire, indicated that the Petitioner is desirous of constructing a one story manufacturing and warehouse addition to the existing building and a mill storage structure which is proposed to be 80 feet in height. Testimony indicated that the proposed addition and mill structure are necessary to introduce a new process for developing spices on the subject site and to increase current warehouse space. The Petitioner testified that the proposed improvements will provide 90 new jobs for this area. Testimony indicated that the Petitioner consulted with the local community associations to advise them of their plans and that there was no objection.

The Petitioner specifically requested that a nonconforming use be granted to the existing structure, a portion of which is located in the MLR zone. The Petitioner further requested in the Petition for Special Hearing that if a nonconforming use were not granted, that variances be granted for the existing structure to bring the property into compliance with current zoning regulations. In the opinion of this Deputy Zoning

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Commissioner, it is more appropriate to grant variances for the existing structure rather than make a finding regarding the nonconforming use of said structure.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the alternative relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. Mclean v. Solovy, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

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By [Signature]

- 3 -

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, as modified, and the variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of September, 1992 that the Petition for Special Hearing requesting, in the alternative, variances from the B.C.Z.R. as follows: from Section 250.2 to permit a sum of the side yards of 56 feet in lieu of the required 80 feet; from Section 250.5 to permit a floor area ratio of 0.73 in lieu of the maximum permitted 0.60; and a variance to permit a land area coverage of 55% in lieu of the maximum permitted 50% for an existing structure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 254 of the B.C.Z.R. to permit a building height of 80 feet in lieu of the maximum permitted 40 feet for a proposed

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Date 9/15/92
By [Signature]

- 4 -

building located within 100 feet of a business zone (ML-IM), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, a landscape plan shall be submitted for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County, or a waiver thereof obtained. A copy of the approved landscape plan or waiver shall be submitted to this office for inclusion in the case file prior to the issuance of any occupancy permits.

3) The materials used in the construction of the proposed addition shall be similar to those used in the development of the existing structure.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the nonconforming use of that portion of an existing building located within the MLR-zoned portion of the subject property, pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.), Sections 250.2 (sum of side yards) and 250.5 (floor area ratio and land coverage), in accordance with the relief granted in Case No. 70-36-ASPH by Order issued September 3, 1969 when the property was zoned MR and ML, be and is hereby DISMISSED AS MOOT.

THK:bjs

Timothy M. Kotrood
TIMOTHY M. KOTROOD
Deputy Zoning Commissioner
for Baltimore County

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Date 9/15/92
By [Signature]

- 5 -

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

September 15, 1992

(410) 887-4386

Stuart D. Kaplow, Esquire
Weinberg and Green
100 South Charles Street
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
NW/8 Reisterstown Road, 2041' N of Tobins Lane
(9740 Reisterstown Road)
3rd Election District - 3rd Councilmanic District
Fuchs Spices, U.S.A., Inc. - Petitioner
Case No. 93-22-SPHA

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been dismissed and the Petition for Zoning Variance granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

Timothy M. Kotrood
TIMOTHY M. KOTROOD
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: People's Counsel

file



Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at 9740 Reisterstown Road 21055

ML-IM, MLR-IM, RM, BM-IM, and BR-IM
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

(SEE ATTACHED)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) That strict compliance with the requirement would unreasonably prevent the use of the property for a permitted use or render conformance unnecessarily burdensome; that the grant would do substantial justice to the applicant, as well as other property owners in the district and that no lesser relaxation than that applied for would give substantial relief; and that the relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Agency for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

With due solemnity declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

FUCHS SPICES, U.S.A., INC.

By: BALTIMORE SPICE, INC.

Signature

Address

City

State

Zipcode

Agency for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Agency for Petitioner:

(Type or Print Name)

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Agency for Petitioner:

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City

State

93-22-SPHA #22

ATTACHMENT #1

A Variance from BCZR Section 254 to permit a building height of 70 feet within 100 feet of a Business Zone, in lieu of the permitted maximum 40 feet (ML-1M).

93-22 SPHA 22

3. A special hearing is requested to determine that the portion of the existing building located within the MLR zone exists as a valid non-conforming use with respect to current BCZR Sections 250.2 (sum of side yards) and 250.5 (floor area ratio and land coverage) pursuant to the Zoning Commissioner's Order of September 3, 1969 in case #70-36-ASPH (when the property was zoned MR and ML);

Or, in the alternative, a variance is requested from Section 250.2 to permit a sum of the side yards of 56 feet in lieu of the required 80 feet; from Section 250.5 to permit a floor area ratio of 0.73 in lieu of the permitted 0.60, and to permit a land area coverage of 55% in lieu of the permitted 50%.

DESCRIPTION TO ACCOMPANY ZONING PETITION FOR VARIANCES AND SPECIAL HEARING
BALTIMORE SPICE COMPANY
JULY 20, 1992

DESCRIPTION OF OVERALL PROPERTY
BEGINNING FOR THE SAME AT A POINT ON THE CENTERLINE OF REISTERSTOWN ROAD, SAID POINT BEING DISTANT NORTH 48° 15' WEST 2041 FEET MORE OR LESS FROM THE INTERSECTION OF THE CENTERLINES OF REISTERSTOWN ROAD AND TOBINS LANE, RUNNING THENCE AND BINDING ALONG THE CENTERLINE OF REISTERSTOWN ROAD:

- 1) SOUTH 48° 41' 30" EAST 332.73 FEET; RUNNING THENCE AND LEAVING SAID REISTERSTOWN ROAD THE FOLLOWING COURSES VIZ:
- 2) SOUTH 40° 41' 30" WEST 258.23 FEET
- 3) SOUTH 49° 18' 30" EAST 154.00 FEET
- 4) SOUTH 40° 41' 30" WEST 96.07 FEET
- 5) BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1910.08 FEET FOR A DISTANCE OF 434.24 FEET
- 6) NORTH 65° 18' 30" WEST 216.98 FEET
- 7) NORTH 42° 39' 10" EAST 247.70 FEET
- 8) NORTH 62° 39' 10" EAST 75.17 FEET
- 9) NORTH 60° 49' 10" EAST 21.50 FEET
- 10) NORTH 34° 24' 10" EAST 11.58 FEET
- 11) NORTH 56° 24' 10" EAST 10.00 FEET
- 12) NORTH 72° 29' 10" EAST 46.67 FEET
- 13) NORTH 62° 26' 20" EAST 203.43 FEET TO THE PLACE OF BEGINNING

CONTAINING 5.375 ACRES OF LAND MORE OR LESS

DESCRIPTION OF MLR-1M ZONE
BEGINNING FOR THE SAME AT A POINT IN REISTERSTOWN ROAD SAID POINT BEING DISTANT NORTH 48° 35' WEST 2041 FEET MORE OR LESS FROM THE INTERSECTION OF THE CENTERLINES OF REISTERSTOWN ROAD AND TOBINS LANE, RUNNING THENCE IN REISTERSTOWN ROAD:

- 1) SOUTH 48° EAST 338 FEET; RUNNING THENCE AND LEAVING SAID REISTERSTOWN ROAD THE FOLLOWING COURSES VIZ:
- 2) SOUTH 42° WEST 332 FEET
- 3) NORTH 48° WEST 441 FEET
- 4) NORTH 42° 10' 30" EAST 5 FEET
- 5) NORTH 62° 39' 10" EAST 75.17 FEET
- 6) NORTH 60° 49' 10" EAST 21.50 FEET
- 7) NORTH 34° 24' 10" EAST 11.58 FEET
- 8) NORTH 72° 29' 10" EAST 46.67 FEET
- 9) NORTH 62° 26' 20" EAST 194 FEET

CONTAINING 3.036 ACRES OF LAND MORE OR LESS

THIS DESCRIPTION IS INTENDED FOR ZONING PURPOSES ONLY AND IS NOT FOR USE IN CONVEYANCE OF LAND OR OTHER MATTERS.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 22-4 Date of Posting: 7/14/92
Posted for: *Paula Spices, Inc.*
Petitioner: *Paula Spices, Inc.*
Location of property: *2041 N. Tobins Lane, Towson, MD 21204*
Location of Sign: *Towson, MD 21204*
Remarks:
Posted by: *[Signature]* Date of return: 7/21/92
Number of Signs: 2

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 107529
DATE: 7/24/92 ACCOUNT: R-001-6150
AMOUNT: \$ 500.00
RECEIVED FROM: *SPRINT & LALOUZ DITARY (FOR CHECK SPICES VSA INC)*
FOR: *COMMERCIAL SPECIAL HOURS VARIANCE FILING FEE*
774-2000000-01-00
VALIDATION OR SIGNATURE OF CASHIER
DATE: 7/24/92 TIME: 1:00 PM

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 7, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 6, 1992

THE JEFFERSONIAN,

S. Zebe Olson
Publisher

Small text block containing legal notice details and a reference to the Baltimore County Zoning Commission.

receipt
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6150
Number: H9300022
PAID PER HAND-WRITTEN RECEIPT DATED 7/22/92
7/27/92
PUBLIC HEARING FEES QTY PRICE
020 - ZONING VARIANCE (OTHER) 1 X \$250.00
040 - SPECIAL HEARING (OTHER) 1 X \$250.00
TOTAL: \$500.00
LAST NAME OF OWNER: FUCHS SPICES,
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
DATE: 8/10/92

Puchs Spices, USA, Inc.
Baltimore Spice, Inc.
9740 Reisterstown Road
Garrison, Maryland 21055
RE: CASE #93-22-SPHA (Item 22)
111 S. Reisterstown Road, 2041' N of Tobins Lane
9740 Reisterstown Road (Baltimore Spice)
3rd Election District - 3rd Councilmember
Petitioner(s): Puchs Spices, U.S.A., Inc.
HEARING: TUESDAY, SEPTEMBER 8, 1992 at 2:00 p.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):
Please be advised that \$ 102.62 is due for advertising and posting of the above captioned property and hearing data.
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL BE VOID. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.
Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Carl Johnson
ARNOLD JARON
DIRECTOR

cc: Stuart D. Kaplow, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
JULY 30, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #93-22-SPHA (Item 22)
111 S. Reisterstown Road, 2041' N of Tobins Lane
9740 Reisterstown Road (Baltimore Spice)
3rd Election District - 3rd Councilmember
Petitioner(s): Puchs Spices, U.S.A., Inc.
HEARING: TUESDAY, SEPTEMBER 8, 1992 at 2:00 p.m. in Rm. 118, Old Courthouse

Special Hearing to determine that the portion of the existing building located within the M.L.R. zone exists as a valid non-conforming use with respect to Sections 250.2 (sum of side yards) and 250.5 (floor area ratio and land coverage) pursuant to case #70-36-ASPH; or in the alternative, a variance to permit a sum of the side yards of 56 feet in lieu of the required 80 feet, to permit a floor area ratio of .73 in lieu of the permitted .60, and to permit a land area coverage of 55% in lieu of the permitted 50%. Variance to permit a building height of 80 feet within 100 feet of a business zone in lieu of the permitted maximum of 40 feet. Variance to permit a rear yard setback of 10 feet in lieu of the permitted 30 feet.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: Puchs Spices, USA, Inc. (Baltimore Spice, Inc.)
Stuart D. Kaplow, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
August 31, 1992

Stuart D. Kaplow, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, MD 21201

RE: Item No. 22, Case No. 93-22-A
Petitioner: Puchs Spices, et al
Petition for Variance

Dear Mr. Kaplow:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this
21st day of July, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Fuchs Spices, et al
Petitioner's Attorney: Stuart D. Kaplow

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: August 7, 1992
FROM: Robert W. Bowling, P.E.
Zoning Administration and Development Management
RE: Zoning Advisory Committee Meeting
for August 10, 1992
Item No. 22

The Developers Engineering Division has reviewed
the subject zoning item and we find that a delineation
of the 100-year flood plain will be necessary prior to the
issuance of a building permit. Also, compliance with the
Landscape Manual will be required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

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AUG 14 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
DATE: August 20, 1992
SUBJECT: Fuchs Spices, U.S.A., Inc.

INFORMATION:
Item Number: 22
Petitioner: Fuchs Spices, U.S.A., Inc.
Property Size: 5.375 acres
Zoning: ML-1M, MLR-1M, BM BM-1M, BR-1M
Requested Action: Variance, Special Hearing
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The petitioner is requesting variances to allow a building height of 80 feet
within 100 feet of a business zone, in lieu of the permitted maximum 40 feet for
a ML-1M zone. A variance is being requested to permit a rear yard setback of 10
feet in lieu of the required 30 feet. The petitioner is also requesting a Special
Hearing to determine if the portion of the existing building located within
the MLR zone exists as a non-conforming use in respect to Section 250.2 (sum of
side yards) and Section 250.5 (floor area ratio and land coverage).

The Office of Planning and Zoning recommends APPROVAL of the petitioner's re-
quest subject to the following conditions.

1. The parking facilities should be landscaped in accordance with the
Baltimore County Landscaping Manual.
2. Building elevation drawings should be provided to show how the proposed
addition is compatible with the existing buildings. Include materials to
be used and colors.
3. A commitment should be proffered that the proposed signs will comply with
the sign regulations and not require variances.

Prepared by:

Division Chief: *Erin McDonald*

FM/EMCD:rdn

22.ZAC/ZAC1

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AUG 26 1992
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: August 3, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 3, 1992
ITEM NUMBER: 22

One Way/Do Not Enter Signs need to be provided where appropriate.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/rb

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AUG 11 1992
ZONING OFFICE

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FUCHS SPICES, U.S.A., INC.

Location: #9740 REISTERSTOWN ROAD

Item No.: +22 (JLL) Zoning Agenda: AUGUST 3, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *Carl A. J. J. J.* Noted and
Approved: *Carl A. J. J. J.* Fire Prevention Bureau
Planning Group
Special Inspection Division

JP/KEK

RECEIVED
AUG 10 1992
ZONING OFFICE

Development Review Committee Resolution
Authorized signature: *Walter R. K.* Date: 8/19/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	Theresa A. Mahlistedt		No Comment	7-13-92

COUNT 1

✓	The Marsden Chevrolet, Inc.	15	No Comment	7-27-92
✓	RP STP		No Comment	
✓	Baltimore County General Hospital, Inc.	16	No Comment	
✓	RP STP		No Comment	
✓	John R. and Mary A. Wortman	17	No Comment	
✓	DEPRM RP STP		No Comment	
✓	Eugene C. Salvo	18	No Comment	
✓	DEPRM RP TE		No Comment	

COUNT 4

✓	Lois L. Ruckman	10	No Comment	8-3-92
✓	DED DEPRM RP STP TE		No Comment	
✓	Colonial Village Company	19	No Comment	
✓	DED DEPRM RP STP TE		No Comment	
✓	James W. Jr. and Terry A. Hooke	20	No Comment	
✓	DED DEPRM RP STP TE		No Comment	
✓	Arthur G. and Helen P. Magesamen	21	No Comment	
✓	DED DEPRM RP STP TE		No Comment	
✓	Fuchs Spices, U.S.A., Inc.	22	No Comment	
✓	DED DEPRM RP STP TE		No Comment	
✓	Susan J. Blum	23	No Comment	
✓	DED DEPRM RP STP TE		No Comment	

Department of Environmental Protection & Resource Management
Development Review Committee Resolution
Authorized signature: *Walter R. K.* Date: 9/10/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	Robert T. and Lorri A. Burgess	51	No Comment	8-24-92

✓	DEPRM STP		No Comment	
✓	Chester L. And Virginia J. Farley	52	No Comment	
✓	DEPRM STP		No Comment	
✓	Mark Allan Claypoole	53	No Comment	
✓	DEPRM STP		No Comment	
✓	Ritz Enterprises	55	No Comment	
✓	DEPRM STP		No Comment	
✓	Etta E. Plonden and Joan and Garland Arrington	57	No Comment	
✓	DEPRM		No Comment	

COUNT 17

✓	Colonial Village Company	19	No Comment	8-3-92
✓	DEPRM		No Comment	
✓	Fuchs Spices, U.S.A., Inc.	22	No Comment	
✓	DEPRM		No Comment	
✓	Susan J. Blum	23	No Comment	
✓	DEPRM		No Comment	
✓	Elise Boyce Kelsey, Trustee w/ Eliza Gillet Boyce Et Al	24	No Comment	
✓	DEPRM STP		No Comment	
✓	Arthur Thomas Ward, III	9	No Comment	
✓	DEPRM		No Comment	

COUNT 5

✓	Maiden Choice Associates	34	No Comment	
✓	DED DEPRM RP STP TE		No Comment	

93-22-SPHA 9/8/92

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: September 10, 1992
FROM: J. Lawrence Pilson JLP/JAP
Development Coordinator, DEPRM
SUBJECT: Zoning Item #22
9740 Reisterstown Road
Zoning Advisory Committee Meeting of August 3, 1992

Development of the property must comply with the Regulations for the
Protection of Water Quality, Streams, Wetlands and Floodplains.
A stream and associated wetlands exist on and immediately adjacent to the
rear of this site. A variance will be required to the above referenced
regulations.

LP:sp

JABLON/S/TXTSP

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

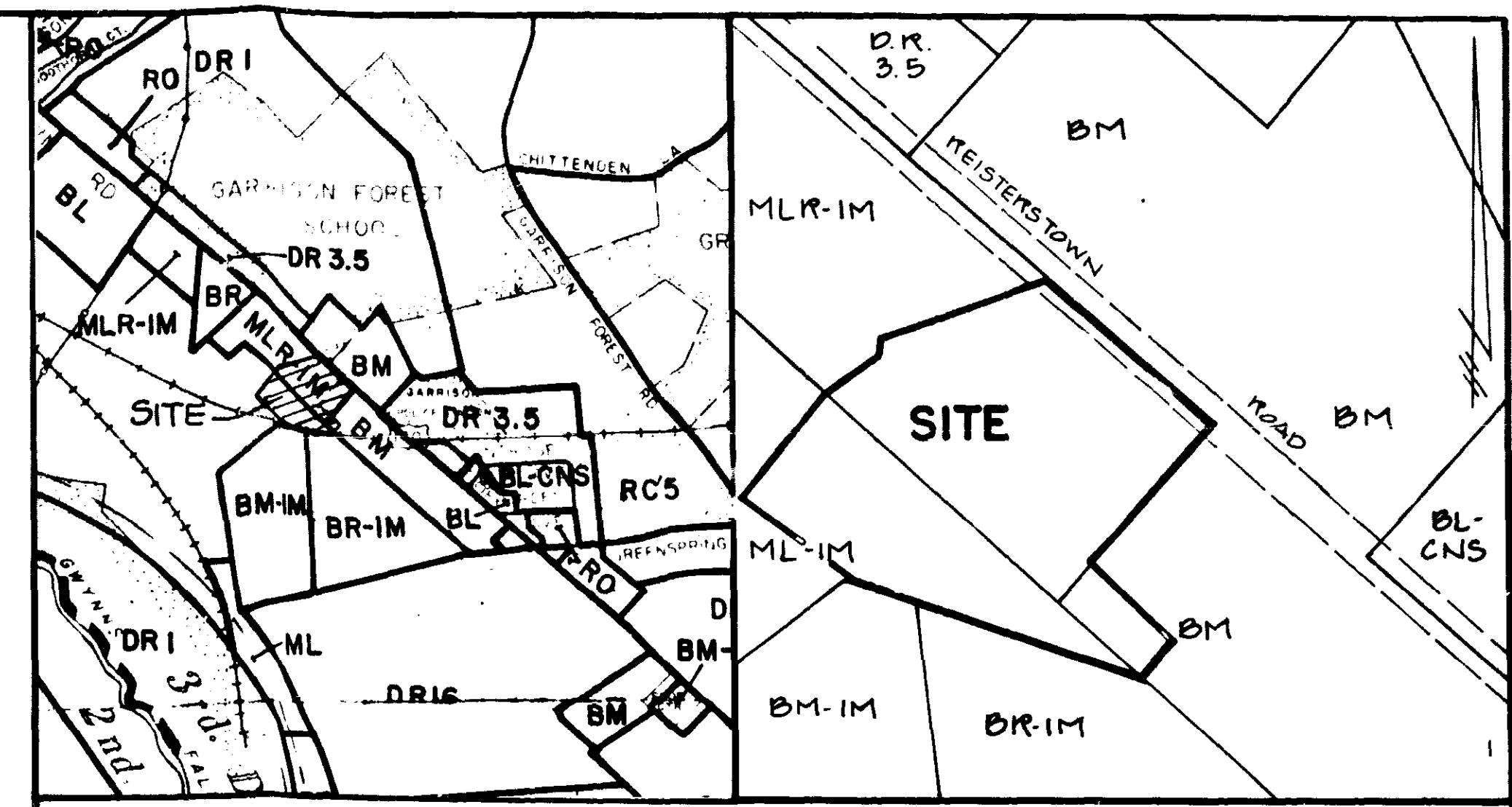
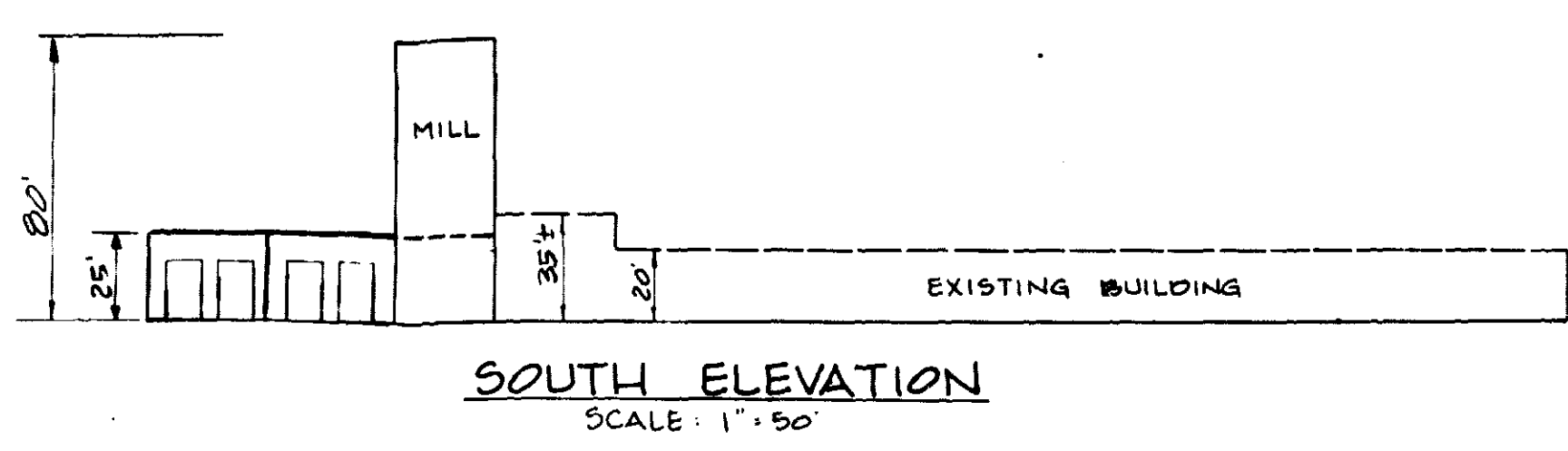
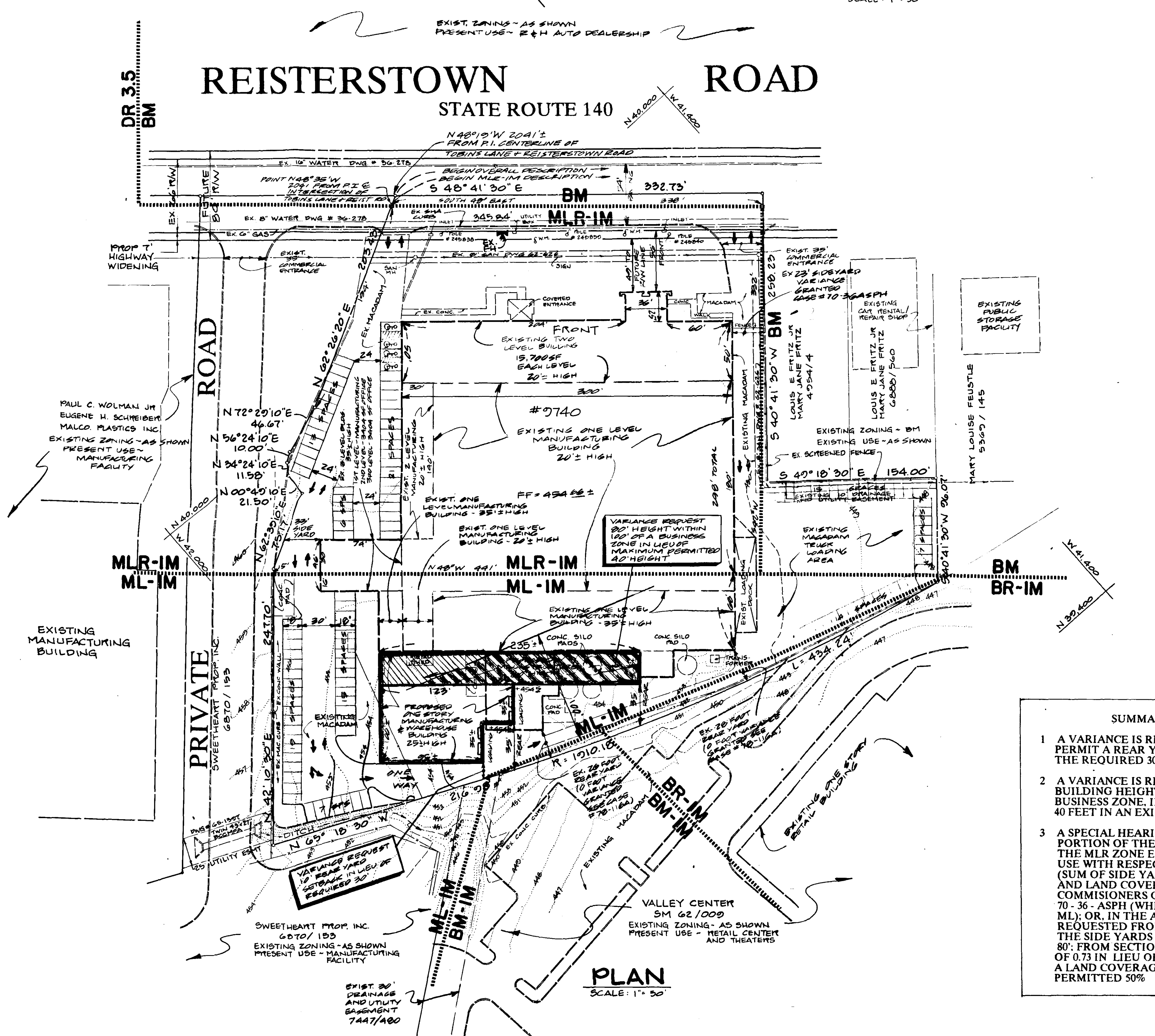
ADDRESS

NEAL KITT - CSID, Inc. 2 E. REAR ST., BALD, 21202
JAMES MATIS / GEN STEPHENS 658 KENNEDY AVE
CLARK BAKER / BART. SPOUSE 4710 BRIGHTSTOWN RD.
STEWART D KIRCH 100 S. OLIVE ST 21201



REISTERSTOWN ROAD

STATE ROUTE 140



PREVIOUS ZONING HISTORY

CASE # 70-36-ASPH SEE ORDER DATED SEPTEMBER 3, 1969 (NO RESTRICTIONS) WHICH GRANTED A SIDE YARD VARIANCE OF 25 FEET IN LIEU OF THE REQUIRED 30 FEET AND PERMITTED A LAND COVERAGE OF 105,000 SF IN LIEU OF THE PERMITTED 25% COVERAGE (NOTE THAT PROPERTY AT THAT TIME WAS ZONED MR & ML) SPECIAL HEARING WAS TO DETERMINE IF A ONE STORY ADDITION COULD BE ADDED TO AN EXISTING BUILDING IN A MR ZONE.

CASE # 78-166A SEE ORDER DATED NOVEMBER 30, 1977 (NO RESTRICTIONS) WHICH GRANTED A REAR YARD SETBACKS OF 0 FEET IN LIEU OF THE REQUIRED 30 FEET.

SITE DATA

GROSS AREA OF SITE (INCLUDES PORTION OF ROADBED OF REISTERSTOWN ROAD)	5,375 ACS +/-
NET AREA OF SITE (TO FUTURE WIDENING LINE OF REISTERSTOWN ROAD)	5,061 ACS +/-
EXISTING ZONING	ML-IM, MLR-IM, BM, BM-IM & BR-IM
GROSS AREA OF ZONES	
ML-IM	1,840 AC
MLR-IM	3,018 AC
BM	6,415 AC
BM-IM	0,012 AC
BR-IM	0,072 AC
NET AREA OF ZONES	
ML-IM	1,840 AC
MLR-IM	2,799 AC
BM	0,318 AC
BM-IM	0,012 AC
BR-IM	0,072 AC
DEED REFERENCE	8557 / 643
TAX ACCOUNT NO.	03 - 0302070480
COUNCILMANIC DIST. NO.	03 - 0302064370
EXISTING USE	3
PROPOSED USE	EXISTING MANUFACTURING BUILDING WITH ANCILLARY OFFICES MANUFACTURING BUILDING WITH ANCILLARY OFFICES AND PROPOSED ADDITION OF MILL STRUCTURE WITH ONE STORY WAREHOUSE

PETITIONER'S EXHIBIT 1

- SUMMARY OF ZONING REQUESTS**
- 1 A VARIANCE IS REQUESTED TO SECTION 255.1 BCZR TO PERMIT A REAR YARD SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 30 FEET IN AN EXISTING ML-IM ZONE.
 - 2 A VARIANCE IS REQUESTED TO SECTION 254 TO PERMIT A BUILDING HEIGHT OF 60 FEET WITHIN 100 FEET OF A BUSINESS ZONE, IN LIEU OF THE MAXIMUM PERMITTED 40 FEET IN AN EXISTING ML-IM ZONE.
 - 3 A SPECIAL HEARING IS REQUESTED TO DETERMINE THE PORTION OF THE EXISTING BUILDING LOCATED WITHIN THE MLR ZONE EXISTS AS A VALID NON-CONFORMING USE WITH RESPECT TO CURRENT BCZR SECTIONS 250.2 (SUM OF SIDE YARDS) AND 250.5 (FLOOR AREA RATIO AND LAND COVERAGE) PURSUANT TO THE ZONING COMMISSIONERS ORDER OF SEPTEMBER 3, 1969 IN CASE # 70 - 36 - ASPH (WHEN THE PROPERTY WAS ZONED MR AND ML); OR, IN THE ALTERNATIVE, A VARIANCE IS REQUESTED FROM SECTION 250.2 TO PERMIT A SUM OF THE SIDE YARDS OF 56 FEET IN LIEU OF THE REQUIRED 80'; FROM SECTION 250.5 TO PERMIT A FLOOR AREA RATIO OF 0.73 IN LIEU OF THE PERMITTED 0.60; AND TO PERMIT A LAND COVERAGE OF 55% IN LIEU OF THE PERMITTED 50%.

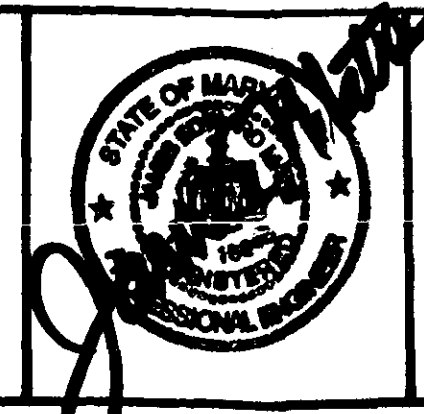
FLOOR AREA RATIO	MLR-IM 36,100 SF	132,248 SF GROSS AREA MLR-IM ZONE	= 0.73 > 0.60
			(SPECIAL HEARING REQUEST)
ML-IM	42,902 SF	80,150 SF GROSS AREA OF ML-IM ZONE	= 0.54 < 2.0
BM / BM-IM			0 < 4.0
BR-IM			0 < 2.0
LAND COVERAGE	MLR-IM 72,120 SF	FOOTPRINT OF BUILDING IN MLR-IM ZONE	= 55% > 50%
			(SPECIAL HEARING REQUEST)
ML-IM			NOT APPLICABLE
BR-IM			NOT APPLICABLE
AMENITY OPEN SPACE			NOT APPLICABLE
SIGNAGE		ALL EXISTING AND FUTURE SIGNAGE TO CONFORM TO SECTION 413 AND ALL ZONING POLICIES.	
MAXIMUM NUMBER OF EMPLOYEES		(TOTAL ALL SHIFTS)	150
PREVIOUS COMMERCIAL PERMITS			UNKNOWN
BUILDING HEIGHT			AS INDICATED
THE PROPOSED ADDITIONS SHOWN HEREON ARE CONSIDERED A MINOR DEVELOPMENT			
STORMWATER MANAGEMENT - A WAIVER OF STORMWATER MANAGEMENT HAS BEEN APPLIED FOR BASED ON NO INCREASE IN DISCHARGE			
PAVING		SHALL Durable AND DUST FREE ALL SPACES TO BE STRIPED	

PRINT DATE

PARKING TABULATION

MANUFACTURING FACILITY	90 EMPLOYEES TOTAL ALL SHIFTS @ 1 SP/5 EMPLOYEES (NO ADDITIONAL EMPLOYEES TO BE ADDED OVERALL)	= 30 SPACES
ANCILLARY OFFICES	20,000 SF GENERAL OFFICES @ 1 SPACE/300 SF	= 67 SPACES
TOTAL PARKING REQUIRED		= 97 SPACES
TOTAL PARKING PROVIDED		= 117 SPACES
PARKING 8.5' X 18' TYPICAL		
HANDICAP SPACES (4 PROVIDED)	21' X 18' TWO SIDE BY SIDE 18' X 18' SINGLE 18' X 18' VAN ACCESSIBLE	

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120



OWNER / DEVELOPER
FUCHS SPICES USA, INC.
c/o BALTIMORE SPICE Co.
9740 REISTERSTOWN ROAD
GARRISON, MARYLAND 21055
1 - 800-365-3229

NOTE: THIS PLAT IS INTENDED FOR ZONING PURPOSES ONLY AND IS NOT FOR USE IN CONVEYANCE OF PROPERTY OR FOR SPECIAL AGREEMENTS

REVISIONS
2/4/92 REVISED LIMIT OF MALL STRUCTURE
P 07003

PLAT TO ACCOMPANY ZONING PETITION FOR BALTIMORE SPICE 9740 REISTERSTOWN ROAD
PARCELS 84 & 258
BALTIMORE COUNTY, MD
SCALE: 1" = 50'
MAP 67
ELECTION DISTRICT #3
JULY, 1992